

OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on June 6, 2005, and called to order by Mayor Kropp at 7:00 p.m. in the City Council Chambers. The following members were present: Madsen, Sandy White, Sutliff, Herb White, Riedel, Schwebs, Fonder, Hoyt, Brogan, Beety, and Lowery.

SPECIAL RECOGNITION Mayor Kropp congratulated Officer Mark Pugmire, and his canine partner, Watz, for their recent completion of a 13-week training program in Shorewood, Minnesota. Police Chief, Dennis Beety, announced that Watz was chosen as the “Top Dog” and awarded a plaque for his accomplishments.

MOTION to approve the minutes of the May 16, 2005 meeting was made by Beety, seconded by Madsen, and carried, contingent on amending the Mayor’s Report to reflect the retirement date of Fire Chief, Chuck Vind, as May 31, 2005.

PUBLIC COMMENTS Wendy MacDougal, Director of the Dunn County Health Department, Lee Nichols, and Linda Larkin, spoke in support of the City Council adopting smoking ban regulations in the City of Menomonie.

Bill Ostwald, owner of the Waterfront and Meet Market, stated that “state wide” smoking ban regulations would be more fair for everyone, and he announced that he was available for questions relating to the request for TID #15 building renovation program funding.

The Council requested additional information regarding the request from St. Joseph’s Catholic Church to close Wilson Avenue on September 10 & 11, 2005 relating to the hours that they are requesting the street to be closed.

MOTION was made by Hoyt, seconded by Beety, and carried to approve the request from the Dunn County Historical Society to sell items in Wilson Park during the 2005 band concert season.

MOTION was made by Sandy White, seconded by Madsen, and carried to approve the request from the Ludington Guard Band to allow amplified music in Wilson Park until 9:30 p.m. on Tuesday nights from June 7, 2005 through August 9, 2005 for the band concerts.

The Council discussed the request from the Waterfront Bar and Grill for TID #15 renovation program funding and announced this item will be brought back at a later date.

BIDS were received for the renovation of the Wilson Park bandshell building and restrooms as follows:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alt. 1 (Brick Siding)</u>
Heritage Builders	\$45,206	+ \$2,900
Rhom Construction	\$46,490	+ \$2,675
Shefchik Builders	\$52,885	+ \$5,256
Dell Construction	\$53,600	+ \$3,600
Hehl-Grohn Co.	\$57,500	- - -

MOTION to accept the low bid of \$45, 206 plus the Alt. 1 bid of \$2,900 for the brick siding (total bid = \$48,106) from Heritage Builders was made by Sandy White, seconded by Lowery, and carried on roll call vote.

MOTION was made by Schwebs, seconded by Madsen, and carried to approve the request from Paschke Drilling & Blasting (Charles A. Paschke) for a PERMIT FOR EXPLOSIVE MATERIALS (blasting for the Wilson Avenue street extension for the Dancing Oaks project) for weekdays only for a period of 60 days.

DISCUSSION was held relating to consideration of smoking ban regulations. **MOTION** directing the Administration to send a letter to the state legislators relating to the city’s support of

adoption of Assembly Bill 440 was made by Lowery, seconded by Beety, and carried with Sutliff and Hoyt opposed.

DISCUSSION occurred relating to developing guidelines for consideration of non-profit agency support. Mayor Kropp requested Council President, Dick Lowery, to draft a list of possible questions for a subsidy request application.

BUDGET TRANSFERS MOTION was made by Schwebs, seconded by Sandy White, and carried on roll call vote to approve the following budget transfers: \$4,000 from Donation Account 01.47130 to Police 01.52110.458 K-9 Program; and \$2,000 from Parks 01.55410.791 Mower to 01.55410.781 Buildings & Improvements.

MAYOR’S REPORT The agenda pack included a copy of the April police department day shift activity report, and a May project update from the Public Works Director. Mayor Kropp announced that Don Terkelson has been named as the Acting Fire Chief until a replacement is hired.

MOTION was made by Hoyt, seconded by Riedel, and carried on roll call vote to approve payment of the following claims:

<u>Claims</u>	
Baycom, Inc.	\$ 31,285.76
Cedar Corp.	63,554.25
Gall’s	3,240.02
Halverson Bros.	94.14
Mark Pugmire	288.00
Sam’s Auto Supply	124.52
Schofield & Higley, S. C.	4,703.00
St. Croix Tree Service	110.00
Steel Towne	308.00
Two-Way Communications	417.90
United Building Centers	23.40
U. S. Postal Service	715.00
Xcel Energy	26,338.81
<u>Parking Utility</u>	
Cedar Corp.	1,706.25
City Treasurer	761.19
<u>Economic Development</u>	
Cedar Corp.	867.75
Schofield & Higley, S. C.	120.00

PUBLIC HEARING - POSSIBLE LICENSE SUSPENSION Mayor Kropp declared the public hearing open relating to the possible suspension of the YORT, Inc. (Someplace Else) “Class B” liquor and beer license. Troy Muntifering, owner of the licensed establishment, described the procedures that he has implemented to lessen the likelihood of citations being issued to his establishment in the future.

MOTION was made by Lowery, seconded by Riedel, and carried with Brogan abstaining to suspend the license of YORT, Inc. for twenty (20) days from 2:00 a.m. on June 7, 2005 to 6:00 a.m. on June 27, 2005.

LICENSES MOTION was made by Lowery, seconded by Madsen, and carried to approve the license list, as presented:

LICENSE PREMISES AMENDMENT - CLASS B BEER & LIQUOR LICENSE:
Olde Towne Menomonie, LLC (Olde Towne Menomonie, LLC - 903 Cedar Falls Road), on **August 27, 2005, from 6:00 p.m. to 11:00 p.m.** for the National Shootist Annual Event/Banquet. **Add amended area:** Outdoor beer/liquor tent on lawn east of Olde Towne’s building, including the bridge area and walkway to tent (fenced area).

OPERATORS (expires June 30, 2005): Joshua J. Blair; Lindsay J. Himlie.

LICENSE YEAR - 2005 / 2006 (expires June 30, 2006)

CLASS A BEER:

S/S/G Corporation (Holiday - 1805 North Broadway);
Menomonie Farmers Union Co-op (Menomonie Farmers Union Co-op – 2021 Stout Road);
Speedway SuperAmerica LLC (Speedway #4482 - 1708 North Broadway);
Speedway SuperAmerica LLC (Speedway #4483 - 1903 Stout Road);
Quick Stop Mpls., Inc. (Quick Stop Inc. - 1213 South Broadway).

CLASS A BEER and LIQUOR:

J E G L, Inc. (Junction Liquor - 2521 Hils Court, Suite L);
Lammer's Food, Inc. (Lammer's Food Fest - 1408 9th Street);
Marketplace Foods Menomonie, Inc. (Marketplace Foods Menomonie - 207 Pine Ave. W.);
Quick Stop Mpls., Inc. (Quick Stop Mpls., Inc. - 2302 South Broadway);
First Tee Mulligan LLC (Riverside Liquor – 116 11th Avenue West).

CLASS B BEER and CLASS C WINE:

Ireland Sandrock Systems of Wisconsin, LLC (City Limits Restaurant - 2100 Cty Road B);
Northfield Restaurant Corp. (Pizza Hut - 1415 North Broadway);
That Mexican Place, LLC (That Mexican Place – 710 2nd Street East).

CLASS B BEER:

Acoustic Café II, Inc. (Acoustic Café – 102 W. Main Street);
Feng Sin Chen (China Buffet - 2421 Hwy. 25 North, Suite 108) **SUBJECT TO FINAL INSPECTION**;
Xiao Zhen Zhuo (Kingdom Buffet – 1502 9th Street);
G & P Pizza, Inc. (Ted's Pizza Palace - 306 Main Street).

WHOLESALE and CLASS A BEER:

Bill's Distributing, Ltd. (Bill's Distributing, Ltd. - 4602 Domain Drive);
Lehmann & Larson Dist., Inc., (Lehmann & Larson Dist., Inc. - 302 Cedar Falls Road).

CLASS B BEER & LIQUOR:

Ba Da Bingz, LLC (Ba Da Bingz – 414 Main Street);
Manor Motels, Inc. (Best Western Inn and Conference Center – 1815 North Broadway);
R. G. Budinger, Inc. (Chippewa Valley Golf Club - 2200 Crestwood Drive);
CK Restaurants, Inc. (Country Kitchen -1705 Plaza Drive);
Lakeside Bar, Inc. (Dean & Sue's-2002 Midway Rd) **SUBJECT TO FINAL INSPECTION**;
Thomas F. Morrow (The Den – 613 South Broadway);
Dunn County Fish & Game Club, Inc. (Dunn County Fish & Game Club – 1600 Pine Ave.);
Castro Corporation (El Patio – 1414 9th Street) **SUBJECT TO FINAL INSPECTION**;
WMJ, Inc. (Flame Lounge – 619 South Broadway);
B.D.J. of Menomonie, Inc. (The Great Escape - 2909 Bongey Drive);
Gusto's Gridiron Bowl, LLC (Gusto's Gridiron Bowl - 1500 Thunderbird Mall);
Lakeside Lounge, Inc. (Lakeside Lounge, Inc. – 614 Main Street);
410th St. Holdings, LLC (Mardi Gras Café and Jazz City Liquor - 1919 Stout Road);
William G. Ostwald (Meet Market - 545 South Broadway);
Menomonie Golf & Country Club LLC (Menomonie Golf & Country Club - 802 Heller Rd.);
Menomonie Lodge #1584, Loyal Order of Moose (Menomonie Moose Lodge #1584 – 720 19th Avenue);
Broadway Enterprises of Menomonie, Inc. (Off Broadway – 631 South Broadway);
Old 400 Depot Investments, LLC (Old 400 Depot Cafe, Ltd. - 2616 Hils Ct);
Olde Towne Menomonie, LLC (Olde Towne Menomonie, LLC - 903 Cedar Falls Road);
Marcia E. Scholfield (The Pub - 516 South Broadway);
Multiple Mulligans, LLC (Shoe's Pub - 1321 North Broadway);
Yort, Inc. (Someplace Else – 336 Main Street);
Tom & Jo's Inc. (Tom & Jo's - 1401 Tainter Street);
William G. Ostwald (The Waterfront - 512 Crescent Street);
RJM Johnson, Inc. (Zanzibar - 228 Main Street).

CABARET:

Ba Da Bingz, LLC; Manor Motels, Inc. (Best Western Inn and Conference Center; Lakeside Bar, Inc. (Dean & Sue's); Dunn County Fish & Game Club, Inc.; WMJ, Inc. (Flame Lounge); B.D.J. of Menomonie, Inc. (The Great Escape); 410th St. Holdings, LLC (Mardi Gras Café and Jazz City Liquor); Menomonie Lodge #1584, Loyal Order of Moose; Broadway Enterprises of Menomonie, Inc. (Off Broadway); Olde Towne Menomonie, LLC; Multiple Mulligans, LLC (Shoe's Pub); Yort, Inc. (Someplace Else).

CIGARETTE:

Amwest Inc. (BP Amoco); Ba Da Bingz, LLC; Buddah's, LLC (332 Main Street); Lakeside Bar Inc. (Dean & Sue's); Thomas F. Morrow (The Den); Dunn County Fish & Game Club, Inc.; WMJ, Inc. (Flame Lounge); B.D.J. of Menomonie, Inc. (The Great Escape); Gusto's Gridiron Bowl, LLC (Gusto's Gridiron Bowl); S/S/G Corporation (Holiday); J. E. G. L., Inc. (Junction Liquor); Kwik Trip, Inc.; Lakeside Lounge, Inc.; Lammer's Food, Inc.; 410th St. Holdings, LLC (Mardi Gras Café and Jazz City Liquor); Marketplace Foods Menomonie Inc.; William G. Ostwald (Meet Market); Menomonie Farmers Union Co-op (4 locations – 2100 Cty. Rd. B; 807 Main Street; 2320 Hwy. 25 North; and 2021 Stout Road); Menomonie Golf & Country Club, LLC; Broadway Enterprises of Menomonie, Inc. (Off Broadway); Quick Stop, Mpls., Inc. (Quick Stop Inc., 1213 S. Broadway); Quick Stop Mpls. Inc. (Quick Stop Mpls., Inc., 2302 S. Broadway); First Tee Mulligan, LLC (Riverside Liquor); Multiple Mulligan's, LLC (Shoe's Pub); YORT, Inc. (Someplace Else); Speedway SuperAmerica LLC (3 locations – Speedway #4484 = 2020 South Broadway, Speedway #4482 = 1708 North Broadway, and Speedway #4483 = 1903 Stout Road); Tom & Jo's Inc.; Walgreen Company (Walgreen #09514); William G. Ostwald (The Waterfront).

MASSAGE THERAPY FACILITY:

Helios Center, (Dr. Linda Capra – 815 Main Street);
Mary Beth Lvoncek – 201 NE 14th Street - **SUBJECT TO FINAL INSPECTION**;
Leslie J. Norris - 1202 15th Ave. East;
Linda M. Stark - Bay View Office Park, 700 Wolske Bay Rd. Suite #225;
YamaMizu Renmei, Inc., William & Linda Bergstrom, (Healing Arts Center, 710 4th St. E.).

MASSEUSE: Sally A. Farrar; Mary B. Lvoncek; Molly J. Mattson; Leslie J. Norris; Linda M. Stark.

OPERATORS: Richard J. Agnew; Sarah J. Amble; Andrew D. Babbitt; SueAnn Babbitt; Barbara G. Benson; Joshua J. Blair; Curtis J. Blodgett; Lori L. Bongard; Tanya A. Brion; Sherri L. Broniarczyk; Richard G. Budinger; Lindsay M. Burns; Matthew J. Burns; Ashley A. Christianson; Betty E. Cran; Kurt R. Cress; Jennifer A. Curvello; Paula M. Dahl; Joel P. Danovsky; Karen M. Diamond; David J. Dicks; Sarah P. Dillow; Christopher D. Dusek; Jerusha D. Eisold; Derek W. Fahl; Donald S. Fane; Bart D. Fansler; Barb J. Fawcett, Merisa M. Ferber; Marcie M. Flanscha; Frederic J. Flint; Gregory J. Fox; Caitlin M. Fulcer; Amanda R. Geissler; James P. Geissler; Robert W. Giertz; Kara B. Gilbertson; Elaine C. Goodman; Brian C. Hagberg; Curtis R. Hagberg; Chad M. Haldeman; Steven J. Halvorson; Edward F. Hanke; Nichole L. Hanson; Bradley M. Helmueller; Renee R. Hines; Cindy J. Holmberg; Sharon L.C. Homstad; Brian K. Hoyt; Jonathan B. Huebener; Janet M. Husby; Scott A. Husby; Vaughn L. Husby; Dustin A. Huset; Jacqueline R. Husting; Christy J. Jackson; Paul A. Jacobson; Jason B. James; Kristin E. Johnson; Nicole R. Johnson; Robin J. Johnson; Thomas M. Johnson, Jodi S. Karshbaum; Gail M. Krause; Barbara E. Knopps; Russell J. Korpela; Lucy B. Lammer; Lawrence C. Lapp; Danielle R. Larson; Susan M. Lecheler; Michael K. Lehmann; Rosalyn K. Lemke; Roger M. Link; Daniel K. Louis; Richard L. Lund; Jennifer J. Lybert; Thomas J. Maher; Linda L. McIntyre; Jodi E. Merrimack; David G. Micek; Courtney L. Middleton; Betty L. Mittlestadt; Andrea M. Moore; Jennifer R. Mootz; Dennis T. Myhre; Steffanie R. Nemitz; Peggy L. Neubauer; Xiu Ying Ni; Timothy J. Niehoff; Casey L. Ninneman; Jean M. O'Dea; Shaun P. O'Meara; Brad S. Obermueller; Kristine L. Patterson; Linda L. Patwell; Nichole M. Pederson; Patricia L. Pizzi; Shelby E. Ploeger; Benjamin M. Pomasl; Nicole M. Rademacher; Charlene K. Radle; Robert P. Raschke; Robert D. Rasmussen; Cynthia L. Rentmeester; Robert A. Rice; Patricia A. Rodey; Jennifer L. Roeske; Kelly A. Rostomily; Chad T. Rowekamp; Timothy S. Ruby; Tina A. Rudiger; Michelle D. Rugland, Bethany L. Schafer; Richard A. Scharlau; Christopher R. Scheel; Erin G. Schmidt; Kevin W. Scholfield; Nicole L. Scholfield; Amanda M. Schwartz; Scott D. Seston; Elizabeth A. Sieben; Ross E. Sierer; Myron M. Siler; Marlys J. Simmons; Timothy J. Sims; Joanna L. Smart; Mary S. Solberg; Shane A. Spaeth; Nicole M. Spindler; Ashley L. Stearns; Sally R. Steinke; Amber L. Stiehl; Jessica R. Stopera; Cory J. Swedberg; Amanda S. TenEyck; James T. Tilleson; Erin J. Tracy; Keri L. Wang; Tracie J. Weber-Hoyt; Tress L. Weber; Karry L. Wieland; Wayne R. Wilson; Kelly M. Wojtalewicz; Kaela R. Wold.

PUBLIC DANCE HALL: Sonya S. Kalscheur – The Dance Connection, 110 W. Main St.

SOLID WASTE COLLECTION: Fuhrman Properties LLC; Menomonie Disposal Service, Inc.; Onyx Waste Services Midwest, Inc.; Waste Management of Wisconsin, Inc.; Waterman Sanitation.

TAXI CAB: Disabled & Elderly Transportation, Inc.

TAXI CAB DRIVER: Debra M. Brooks; Kent B. Conklin; Eldora R. DeRaad; Merien A. DeRaad; Christopher A. Leubner; Barbara F. Lutzen; Harold F. Meyer; Nancy A. Richwalski; Michael J. Schumacher; Richard K. Vallis.

MOTION to convene in closed session under Wisconsin Statutes 19.85 (1) (c),(e), and (g) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body had jurisdiction or exercises responsibility; deliberating or negotiating the purchase/sale of public properties; the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved was made by Brogan, seconded by Beety, and carried on roll call vote.

MOTION to return to open session was made by Brogan, seconded by Fonder, and carried on roll call vote.

No action was taken.

MOTION to adjourn was made by Brogan, seconded by Hoyt, and carried.

JoAnn L. Kadinger, City Clerk

